

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

SHELBY T. MIDGETT,	)	
	)	
Plaintiff,	)	
	)	
v.	)	1:25-cv-326
	)	
MCHUE, KEVIN RADFORD,	)	
HARRISON, and PATE,	)	
	)	
Defendants.	)	

**ORDER**

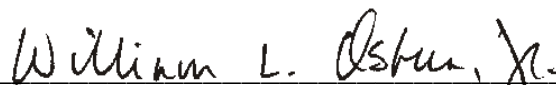
On May 6, 2025, the United States Magistrate Judge's Order and Recommendation ("Recommendation") was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 3, 4). No objections were filed within the time limits prescribed by Section 636.

Therefore, the court need not make a de novo review and the Magistrate Judge's Recommendation is hereby adopted.

**IT IS HEREBY ORDERED** that the Magistrate Judge's Recommendation, (Doc. 3), is **ADOPTED. IT IS FURTHER ORDERED** that this action is **DISMISSED WITHOUT PREJUDICE**, to Plaintiff filing a new complaint, on the proper § 1983 forms, which corrects the defects cited in the Recommendation.

A Judgment dismissing this action will be filed contemporaneously with this Order.

This the 20th day of June, 2025.

  
United States District Judge